

# WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

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November 29, 2007

## BY FACSIMILE

Honorable Charles L. Brieant, U.S.D.J.  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Re: Kappel v. The Prudential Insurance Company of America, 07 Civ. 6713 (CLB)  
Our File No. : 09720.00255

Dear Judge Brieant:

We represent defendant The Prudential Insurance Company of America ("Prudential") in this matter, and write with John W. Fried, counsel for plaintiff Michael Kappel, to inform the Court that the parties have reached a settlement. Enclosed is a stipulation of discontinuance signed by counsel for both parties, which has also been submitted to the Clerk of Court. The parties therefore request that the November 30, 2007 status conference be cancelled.

Thank you very much for your attention to this matter.

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP



Emily Hayes

cc: John W. Fried, Esq.

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